

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Universities – Sri Krishnadevaraya University, Anantapur – Removal of Prof. P.Kusuma Kumari, from the office of Vice Chancellor, Sri Krishnadevaraya University, Anantapur under Section 11(2) of Andhra Pradesh Universities Act, 1991 for willfull omission and refusal to carryout the provisions of the Andhra Pradesh Universities Act, 1991 – Orders – Issued.

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**HIGHER EDUCATION (UE.I) DEPARTMENT**

**G.O.Ms.No. 203**

**Dated: 22-10-2010**

Read the following:

- 1.G.O.Ms.No.186, HE (UE.I) Dept. dt. 23-08-2008.
2. G.O.Ms.No.17, HE (UE.I) Dept, dt. 03-03-2010.
3. G.O.Ms.No.18, HE (UE.I) Dept. dt. 03-03-2010.
4. Report of Enquiry Authority, dt. 31-07-2010.
5. G.O.Ms.No.69, HE (UE.I) Dept. dt. 01-08-2010.
6. Govt. Letter No.10125/UE.I/A2/2009-31, dt. 07-09-2010
7. From the Registrar, Sri Krishnadevaraya University, Anantapur, D.O.Lr.No.SWKU/PA-R/2010, dt. 08-09-2010
8. From the Registrar, Sri Krishnadevaraya University, Anantapur, Lr.No.SKU/R-PA/2010, dt. 07-10-2010 along with representation of Prof. P.Kusuma Kumari.

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**ORDER**

The following Notification shall be published in an Extra-ordinary issue of the Andhra Pradesh Gazette, dated 23-10-2010.

**NOTIFICATION**

WHEREAS, in the G.O.Ms.No. 69, H.E. (UE.I) Department, dated 01-08-2010, orders have been issued for removal of Prof. P.Kusuma Kumari from the Office of the Vice-Chancellor, Sri Krishnadevaraya University, Anantapur, and whereas the said orders of removal were challenged by Smt. P.Kusuma Kumari, Vice-Chancellor, Sri Krishnadevaraya University, Anantapur and she has filed W.P.No.19395/2010 in Hon'ble High Court of A.P.

2. And whereas the Hon'ble High Court of Andhra Pradesh in its order dt. 11-08-2010 in W.P.No.19395/2010 filed by Smt. P.Kusuma Kumari, has ordered as follows:

“ I therefore, conclude that the impugned order passed by the Chancellor on 01-08-2010, shall be treated as provisional in its scope and content and the Writ Petitioner shall be afforded a copy of the report dt. 31-07-2010, submitted by the Enquiry Authority, appointed by the Chancellor and thereafter, she shall be provided thirty days time to make her representation against the proposed action of removal from office of the Vice-Chancellor and in the interregnum, all benefits and perquisites and facilities attached to the office of the Vice-Chancellor shall be restored. But, at the same time, the Writ Petitioner shall not discharge the functions of the office of the Vice-Chancellor, in any manner, as the Writ Petitioner shall be treated to have been put off such duties”.

In the view taken by me, the action of the State Government in making in-charge arrangements in exercise of the powers available to it under Section 19 (3) of the Universities Act cannot be faulted.

The Writ Petition stands disposed of with the above directions. It is needless to observe that all other contentions canvassed by the Writ Petitioner, which have not been specifically adverted to and dealt with in this judgment shall be treated as to have been preserved. Respective parties would bear their costs."

3. In accordance with the above orders of the Hon'ble High Court, Government in Letter No.10125/UE.I/A2/2009-31, dt. 07-09-2010 have sent a copy of the Enquiry Report of Justice Sri A.Hanumanthu (Retired), Enquiry Authority, dt.31-07-2010 to Prof. P.Kusuma Kumari for submitting her representation against the action initiated in G.O.Ms.No.69, HE (UE.I) Dept. dt. 01-08-2010 for removal from the office of the Vice-Chancellor, Sri Krishnadevaraya University, Anantapur within thirty days from the date of receipt of the letter. The said letter along with Enquiry Report has been served on Prof. P.Kusuma Kumari on 08-09-2010 under due acknowledgement. In the said letter it was mentioned that, if no reply is received within the stipulated time of 30 days, it will be construed that Prof. P.Kusuma Kumari has no explanation to offer in her defence and action for removal will be taken as per material available on record.

4. Whereas, in response to Govt. Lr.No.10125/UE.I/A2/2009-31, dt. 07-09-2010, Prof. P.Kusuma Kumari has submitted her representation to the Registrar, S.K.University in her letter dated 07-10-2010 and the same was received in Government on 08-10-2010. The representation submitted by Prof. P.Kusuma Kumari has been examined in detail and Government have noticed that she has not adduced any additional evidence in her support which she could not place before the enquiry authority during the enquiry. Government have also observed that Prof. P.Kusuma Kumari wants to escape from her primary duty of following the provisions of the A.P. Universities Act, 1991 on one or the other pretext.

5. As regards the illegal and irregular appointment of 29 Assistant Professors, Government have observed that Smt.P. Kusuma Kumari has issued appointment orders to 29 Assistant Professors without the approval of the Executive Council (EC) as required under the provision 19 (5) (ii) of the A.P. Universities Act, 1991. She has continued them even after the EC, in its resolution dated 06-02-2010, has refused to approve their selections and violated the provisions of Section 13 (6) of the Act. She has appointed the in-charge Registrar without authority only to sign these appointment orders as the regular Registrar was not willing to sign the irregular orders not approved by the EC. It is proved beyond doubt that some of the selected candidates did not possess requisite qualifications as fixed by University Grants Commission (UGC) at the time of last date of application and her attempt to throw the blame on to the Selection Committee cannot be accepted. She also failed to place the Report of the 2-Men Committee dt 19-10-2009 before the EC or to refer the issue of appointment of 29 Asst Professors as directed by the Government vide their letters dated 10-12-2009, 28-01-2010 and 19-02-2010.

6. As regards the regularisation of 8 Asst. Professors appointed on ad-hoc or temporary basis, it is observed that regularisation cannot be made unless selected by properly constituted selection committee in terms of Section 43 of the Act and the Executive Council has been misled to ratify her illegal regularisation. The appointment of three more Assistant Professors than notified in place of one post of Professor and two posts of Readers is violative of the sanctioned staffing pattern under the UGC scheme under XI Plan and such conversion has not been approved neither by the EC nor the UGC. She has also violated the provision under Section 19 (4) (b) of the Act by permitting both excess expenditure and diversion of funds for the purchase of books and failed to seek neither permission nor ratification from the Executive Council.

7. It is also observed that her action in granting study leave to Dr.P.Nataraj Sekhar, Asst.Professor in Bio-Technology even before he completed one month of continuous service as against the norm of minimum service of 3 years of continuous service is irregular and illegal in terms of the provisions of the Act and G.O.Ms.No.208 dt 29-06-1999. Her action in having re-appointed Dr.D.Chenna Reddy, who resigned to the post of Principal, B.Ed College after being found guilty of all the charges including financial misappropriation and harassment of a female teacher by a Committee of Three Professors, again as Principal, B.Ed College and later as Dean of the Faculty of Education is illegal and proves her showing favouritism. She acted beyond her jurisdiction in imposing a fine of Rs.12.00 lakhs on Sri K.Chiranjeevi Reddy and in not having placed the Enquiry Report against him before the EC for its specific decision. Her argument that all these matters can be placed in the forthcoming meetings of the EC is neither tenable nor acceptable.

8. In view of the facts mentioned above and in accordance with the orders of Hon'ble High Court of A.P. in W.P.No.19395/2010, dt. 11-08-2010 and after a detailed examination of the explanation offered by Smt. P.Kusuma Kumari, it is found that all charges are established beyond doubt. It is, therefore, proposed to issue fresh orders for removal of Smt. P.Kusuma Kumari from the post of Vice-Chancellor, Sri Krishnadevaraya University, Anantapur under Section 11(2) of A.P. Universities Act, 1991 with immediate effect.

9. NOW THEREFORE, in compliance of the said orders of Hon'ble High Court dt. 11-08-2010 in W.P.No.19395/2010 and in exercise of the powers conferred by sub-section (2) of Section 11 of the Andhra Pradesh Universities Act, 1991 (Act 4 of 1991) I, E.S.L.Narasimhan, Chancellor of Sri Krishnadevaraya University, Anantapur hereby remove Prof. P.Kusuma Kumari from the Office of Vice-Chancellor, Sri Krishnadevaraya University, Anantapur for willful omission and refusal to carry out the provisions of the Andhra Pradesh Universities Act, 1991 with immediate effect.

10. These orders will supersede the orders issued in G.O.Ms.No.69, HE (UE.I) Deptt. Dt. 01-08-2010 which were treated as provisional by the Hon'ble High Court of Andhra Pradesh in its order dated 11-08-2010 in W.P. No.19395/2010.

E.S.L.NARASIMHAN  
GOVERNOR OF ANDHRA PRADESH

Hyderabad.  
22-10-2010

C.R.BISWAL  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Printing, Stationery & Stores Purchase (Pub. wing),  
Hyderabad (for publication of the Notification in an extraordinary  
issue A.P.Gazette dt. 23-10-2010 and to supply 50 copies of the same).  
..4/-

Prof. P.Kusuma Kumari, (through the Registrar, Sri Krishnadevaraya University, Ananthapur with a request to handover to Prof. P.Kusuma Kumari).

The Principal Secretary to Governor, Raj Bhavan, A.P.Hyderabad.

Copy to:

The Registrar, Sri Krishnadevaraya University, Anantapur.

The Secretary to Enquiry Authority, Premises of Commissioner of School Education, Saifabad, Hyderabad.

The Secretary, Andhra Pradesh State Council of Higher Education, Hyderabad.

The Registrar General, High Court of A.P. Hyderabad.

The Collector & District Magistrate, Anantapur District.

The Commissioner, Information & Public Relations, A.P. Hyderabad.

The General Administration (Claims.C) Department.

The Finance (Exp.GAD) Department.

The Finance (Exp.HE) Department.

The Pay & Accounts Officer, Secretariat Branch, Hyderabad.

The P.S. to Prl. Secretary to Chief Minister

The P.S. to M (HE) / P.S. to Chief Secretary

The PS. to Principal Secretary to Govt. (Political), Genl. Admn. Dept.

// Forwarded by Order //

Section Officer